

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

June 26, 2013

The meeting was called to order at 4:01 p.m. by Chairman Phil Conder at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Terri Mills, Phil Conder, Joe Garcia, and Barbara Thomas

ABSENT

Jack Matheson and Imaan Bilic

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Lehman, Kevin Despain, Lee Logston, Jody Knapp, and Nichole Camac

AUDIENCE

Approximately twenty-two (22) people were in the audience

ZONE CHANGE APPLICATION

Z-3-2013

Utah Real Estate Development

4434 and 4471 South 5400 West

A to R-1-7 and R-1-8

4.6 acres

This application was continued during the Planning Commission meeting on June 12th. The motion for continuance was to review the possibility of zoning both parcels R-1-8.

Utah Real Estate Development has requested a zone change on a portion of two parcels at 4434 and 4471 South 5400 West from A (agriculture, minimum lot size of ½ acre) to R-1-7 (single family residential, minimum lot size 7,000 square feet) for the west parcel at 4434 South and R-1-8 (single family residential, minimum lot size 8,000 square feet) for the east parcel at 4471 South. The west parcel is 5.11 acres, the south 1/3 of which is already zoned R-1-7. The east parcel is 2.64 acres, the east half of which is already zoned R-1-8. For the west parcel, surrounding zones include R-1-7 to the south and west, A to the north and R-1-8 to the east. For the east parcel, surrounding zones include R-1-7 to the east, A to the north and west and R-1-8 to the south. The west parcel is surrounded by single family homes and the east parcel is bordered by a school to the north, single family homes to the east, a vacant lot to the south and a single family home and vacant lot to the west. The subject properties are designated as low density residential, which anticipates 3 to 4 units/acre, in the West Valley City General Plan.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows the west property being subdivided into 19 lots and the east parcel, combined with the parcel to the south which is already zoned R-1-8, being subdivided into 14 lots. Bill Bang with Utah Real Estate Development has submitted two brief letters in support of this application, which are attached.

The submitted concept plan shows three double frontage lots on the west side of 5400 West. Referring to double frontage lots, the subdivision ordinance states: "Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions. The width of each block shall be sufficient for an ultimate layout of two tiers of lots therein of a size required by the provisions of this Title, unless the general layout of the vicinity, lines of ownership, topographical conditions or locations of arterial streets or freeways justify or make necessary a variation from this requirement." Staff does not believe double frontage lots are warranted in this case, especially since there are no rear facing lots along 5400 West. This issue will be resolved during the subdivision review process.

As requested by the Planning Commission, staff prepared a rough concept for the west parcel assuming R-1-8 Zoning. Utilizing a lot width reduction provision in the ordinance and two flag lots, it appears that 19 lots would be possible with R-1-8 Zoning. With R-1-10 Zoning, about 15 to 16 lots would be possible.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(l)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet."

To address the need for a development agreement, staff recommended in the last staff report for this application that the minimum house size be at least 1,600 square feet and that the number of points required for design features be increased from 200 points for a rambler and 220 points for all other types of plans to 300 points for all homes.

At the time this report was prepared, staff had received 17 letters from residents in the area requesting R-1-10 Zoning. These letters are attached.

Staff Alternatives:

- Approval of a zone change to R-1-10 for the west property and R-1-8 for the east property, subject to a development agreement with the following standards:
 - The minimum house size shall be 1,600 square feet.
 - No double frontage lots shall be allowed along 5400 West.
- Approval of a zone change to R-1-8, subject to a development agreement with the following standards:
 - The minimum house size shall be 1,600 square feet.
 - No double frontage lots shall be allowed along 5400 West.
 - Each home shall reach at least 300 points based on the standards in Table 1 of Section 7-14-105(3)(l) of the West Valley City Zoning Ordinance.
- Approval of the zone change to R-1-7 for the west property and R-1-8 for the east property, subject to a development agreement with the following standards:
 - The minimum house size shall be 1,600 square feet.
 - No double frontage lots shall be allowed along 5400 West.
 - Each home shall reach at least 300 points based on the standards in Table 1 of Section 7-14-105(3)(l) of the West Valley City Zoning Ordinance.
- Continuance, for other reasons determined at the public hearing.
- Denial, R-1-10 Zoning is more appropriate.

Applicant:

Blaine Walker
24 Altawood Ln.
Sandy, UT

Opposed:

Esther Olschewski
4409 S 5400 W

Opposed:

Jaime Rushton-Petersen
4423 S 5400

Favored:

Craig Rushton
1519 E Spring Canyon
Tooele, UT

Favored:

Clyde Ahlquist
1521 E Spring Canyon
Tooele, UT

Opposed:

Timothy Olschewski
4409 S 5400 W

Opposed:

Richard Sweeny

Favored:

Lynda Rushton
10807 S Sienna Dr.

Opposed:

Mike Baker
4395 S 5445 W

Discussion: Steve Lehman presented the application. Barbara Thomas clarified where the street on the west side of the proposal would be in the concept plan provided by the applicant.

Blaine Walker, representing the applicant, provided various pictures of homes that could be built on 7,000 square foot lots and indicated that a good quality product can be built here. Mr. Walker stated that he is asking that the rest of the property be zoned what the other portion of the property currently is. He indicated that he feels the 'R-1-7' zone would be a good fit for the community in terms of lot size and income levels. Mr. Walker stated that the quality of the homes will be top of the line and indicated that the homes will be at a higher standard than the surrounding neighborhood because new

requirements have been put in place over the years. Phil Conder asked what the size of lots in the cul-de-sac are in the concept plan provided by the applicant. Mr. Walker replied that they are close to 9,000 square feet. Terri Mills asked what the average main floor square footage is. Mr. Walker replied 1100 to 1400 square feet and indicated that homes will likely have a second story and basement as well.

Esther Olschewski, a neighbor, stated that the property owner to the north of the west property has no interest in selling his lot. She stated that the road depicted in the concept plan that leads to that parcel will not work. Ms. Olschewski indicated that she knows nice homes can be built on smaller lots but it is not complimentary to what is there and would be very tightly packed. She indicated that the majority of property owners along 5400 West enjoy the open feel that exists on this street and adding more homes on smaller lots will drive long-time residents out of the City. She stated that changing the zone to 'R-1-7' or 'R-1-8' will negatively impact the community. Steve indicated that the stub street depicted on the concept plan is simply for future development that can occur.

Jaime Rushton-Petersen indicated that she is very upset with this proposal. She indicated that she loves West Valley City and loves this area. Ms. Petersen stated that the plan to squeeze as many people as possible in one space will diminish her quality of life. She indicated that she doesn't want to move out of the City and doesn't want her neighbors to either.

Craig Rushton stated that his family owns the property and has held it for many years. He indicated that people want it to remain a pasture but this is not reality. Mr. Rushton stated that he has the right to sell his property and the neighbors have to accept that things change over time. He indicated that if the neighbors want the property to remain the same, they should buy it.

Clyde Ahlquist stated that he lived in this area until recently. He indicated that the property has been for sale for about 2 years and anyone could have bought it if they had wanted to. Mr. Ahlquist stated that many of the properties on 5400 W belong to the Rushton family and indicated that the family gave half acre lots to their children. He stated that the properties are already partially zoned 'R-1-7' and 'R-1-8' and he is simply requesting that the remainder be re-zoned to match. He stated that all the homes between 5400 W and 5600 W have been built within the last 27 years and most are zoned 'R-1-7' which is what is being requested. He stated that there are quality builders and there will be a nice product.

Timothy Olschewski stated that he understands that it is the property owners right to do what they want with their land. He indicated that the community also has the right to express their opinions and to ask for something that is complimentary to the area. Mr. Olschewski stated that he is not against the re-development of the property but just wants it to be consistent with the neighborhood. He stated that he appreciates that quality homes will be built but added that good quality is very subjective.

Richard Sweeny stated that he has lived in the neighborhood for 25 years and has watched development occur. He indicated that there is no shortage of starter homes in the City but there is a lack of nice homes on large lots. Mr. Sweeny stated that people leave West Valley because of this and indicated that people would stay if there were more large lots available.

Craig Rushton stated that money was lost on the properties that were zoned 'R-1-10'. He indicated that big homes on big lots can be difficult to sell.

Lynda Rushton stated that she lived on 5400 W for 27 years and has not written West Valley City off. She indicated that she is aware there is a lot of emotional value attached to the property but stated that it is important to her family that this land is sold and developed.

Mike Baker stated that he lives in the existing 'R-1-10' neighborhood. He stated that he likes the area and the commute to Salt Lake. He indicated that more homes equal more traffic which is already a concern to him. He indicated that he feels like his subdivision is an island on its own since it is the only 'R-1-10' zone in the area.

Blaine Walker stated that change is an emotional thing. He indicated that he is not asking to re-zone anyone else property and this development will not impact what neighbors are able to do on their lots. He stated that he is trying to enhance the area and indicated that people who live on smaller lots feel the same love and attachment for West Valley City too. Mr. Walker stated that there is pride in ownership and developing this property will provide that feeling to other families.

Barbara Thomas stated that all comments are valid and indicated that she is leaning toward 'R-1-10' because she likes communities that provide different sized lots and homes. She indicated that the same home can be built on an 'R-1-7' and 'R-1-10' property but the enjoyment of what's outside is important to families too. Joe Garcia stated that more homes could cause problems for schools and indicated that 'R-1-10' could lend better educational experiences to children in the area. He stated that the 'R-1-10' zone adds variety to the neighborhood and indicated that more of the same isn't always good. Commissioner Fuller stated that he agrees with 'R-1-10' on the west but feels 'R-1-8' makes sense on the east. Commissioner Mills, Commissioner Woodruff, and Commissioner Garcia agreed. Commissioner Mills stated that there are few open spaces and indicated that it's important to make sure communities develop in a sound manner that encourages pride in ownership and the desire to stay for a long time. Commissioner Woodruff stated that he likes the idea of the greater frontage 'R-1-10' provides and added that he feels it's more in character with the community. Commissioner Thomas stated that she still would like the east property to be zoned 'R-1-10' as well.

Motion: Commissioner Fuller moved for approval of a zone change to R-1-10 for the west property and R-1-8 for the east property, subject to a development agreement with the following standards:

- The minimum house size shall be 1,600 square feet.
- No double frontage lots shall be allowed along 5400 West.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	No
Commissioner Woodruff	Yes
Chairman Conder	Yes

Majority -Z-3-2013- Approved

SUBDIVISION APPLICATION

S-16-2013

Jonesdale No. 9 Subdivision Amended

3700 South 5800 West

R-1-8 Zone

BACKGROUND

The Utah Department of Transportation (UDOT) is requesting consideration to vacate lots 901-916 of the Jonesdale No. 9 Subdivision. This request will also vacate all of Master's Circle and Master's Court.

ISSUES:

As UDOT continues to acquire various properties for the Mountain View Corridor, the Planning Commission will review a number of requests for street vacations and subdivision amendments. These applications will be presented to the Commission when UDOT has completed the acquisition of the properties in question, or is near the completion of those acquisitions.

This application will vacate lots 901-916 of the Jonesdale No. 9 Subdivision and the two cul-de-sac streets known as Master's Circle and Master's Court. The Jonesdale No. 9 Subdivision was recorded in the office of the Salt Lake County Recorder in June 1979. This proposal is located north of Bills Drive, which was vacated by the Planning Commission last year.

Staff understands that UDOT has acquired all properties mentioned for this application. Based on a recent site visit, all of the homes with access on to Master's Circle and Master's Court have been demolished. The City will not record the ordinance vacating the right-of-way until UDOT provides verification that the acquisition is complete and that there are no pending condemnation proceedings.

Although the street will eventually be vacated by ordinance, the ordinance will have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. The ordinance will also protect any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

STAFF ALTERNATIVES:

- A. Approval of the Jonesdale No. 9 Subdivision Plat Amendment.
- B. Continuance to address issues raised during the Planning Commission meeting.

Applicant:

N/A

Discussion: Steve Lehman presented the application. The Planning Commission had no further questions or concerns.

Motion: Commissioner Thomas moved for approval.

Commissioner Garcia seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -S-16-2013- Approved

S-17-2013

Freeport West – WV Phase 1 Subdivision

6700 West 2320

M Zone

1 Lot

35 Acres

BACKGROUND:

Corbin Bennion, representing Natomas Meadows LLC, is requesting preliminary and final plat approval for the 1st phase of the Freeport West – WV Phase 1 Subdivision. The subject property is located immediately to the west and south of the Rocky Mountain Raceway and is zoned manufacturing.

ISSUES:

The proposed subdivision is being requested to create 1 lot for the first phase of a large industrial park to be known as Freeport West. Along with the division of property to create the first lot, the subdivision plat will also dedicate two new roads to be known as 6750 West and 2550 South. These roads will connect with the SR-201 frontage road and 6400 West respectively.

As mentioned, access to the subdivision will be gained from the SR-201 frontage road and from an eventual connection with 6400 West. Future rights-of-way will be dedicated as property develops to the east and west. The cross section to be used here as well as future rights-of-way within the development site will be 66 feet. A parkstrip and sidewalk will be located on one side of the roadway which is standard in the manufacturing zone.

The City will be widening and installing curb and gutter along the south side of the SR-201 frontage road. In addition to these improvements, the overhead power lines will be placed under ground in a 10-foot public utility easement. The developer will be responsible for landscaping and site improvements which will be reviewed as part of the conditional use process.

Future uses within the subdivision will be reviewed as conditional uses. At that time, staff and agency comments will be more thoroughly addressed. The subdivision plat will contain easements dedication of right-of-way and other information applicable to the division of property.

STAFF ALTERNATIVES:

1. Approve first phase of the Freeport West Phase 1 Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

Applicant:

Corbin Bennion
5684 S Green St
Murray, UT 84123

Discussion: Steve Lehman presented the application. Corbin Bennion, representing the applicant, stated that he is working with West Valley City Engineering for the road systems in the area. He indicated that the property owner would like to begin utility work in the fall of this year. Barbara Thomas stated that she is concerned with traffic going to 6400 west through residential neighborhoods. Mr. Bennion indicated that these concerns will be addressed by the time the conditional use application is submitted. He indicated that traffic will not likely go south to Parkway Blvd with the exception of employees. Terri Mills asked how many parking stalls are anticipated for this site. Mr. Bennion replied that it will depend on the use and indicated that there are no proposed tenants at this time. Commissioner Mills indicated that she is concerned with traffic in the area and added that conditional uses cannot be denied. Phil Conder stated that conditions can be applied to mitigate traffic concerns when there is a more solid plan for what type of business will occupy this building. Steve added that the 201 frontage road will be able to accommodate much of the truck traffic that will originate from this industrial park. Chairman Conder asked if there will be traffic

signals on the frontage road. Steve replied that he isn't sure but indicated that it would be likely with the amount of traffic in the area.

Motion: Commissioner Thomas moved for approval.

Commissioner Fuller seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -S-17-2013- Approved

CONDITIONAL USE APPLICATIONS

C-26-2013

McDonald's (Farley Eskelson, Dominion Engineering)

5315 S 5600 W

Fast Food Restaurant

C-2 zone, 1.08 acres

Background

This application was continued from the June 12, 2013 public hearing to address concerns regarding signage, the pedestrian connection between Maverik, sound issues, and also landscaping.

The applicant is requesting conditional use approval for a new McDonald's fast food restaurant located at 5315 S 5600 W. This property was recently rezoned as part of an overall development which was accompanied by a development agreement. Within this development, townhomes were approved for all of the property to the west and north of the subject commercial property. The zoning for the townhomes is R-1-4. Access to the townhomes is from Lake Ridge Drive (5315 S) off 5600 W and also from the subdivision to the north. There will be no access off 5400 S for the townhomes. The nearest townhome will be 49 feet from the west edge of the McDonald's property.

Other surrounding properties include a Maverik convenient store to the south, which is also zoned C-2, general commercial. There are Kearns single family housing subdivisions to the east, none of which front on to 5600 W. The southwest corner of 5400 S and 5600 W is commercial zoning. The general plan for this area is Mixed Use, which includes commercial and medium density residential.

It is anticipated in the future that the Utah Transit Authority, UTA, will acquire right-of-way for a new Bus Rapid Transit line. This will require a purchase of an additional 30-35 feet of property. At that point, a transit station and median will be installed along the center of 5600 W.

Site Issues

The site is accessed off both 5600 W, which is shared with Maverik, and also off Lake Ridge Drive. Until the new UTA line is constructed, there will be a left turn lane off 5600 W.

The development agreement states that a pedestrian connection will be provided between the two commercial sites. The proposed pedestrian connection will connect the front of McDonald's to the parking

lot of Maverik near the shared driveway access. The owners of Maverik have agreed to allow McDonald's to install a guard rail and a 4 foot sidewalk running along the north side of their property. It will tie into their existing sidewalk in front of the picnic area.

The side yard setback for commercial zones is 20 feet and shall be permanently landscaped. The applicant is requesting a 5' reduction to accommodate a 15 foot landscape area. The setback may be reduced as negotiated in a development agreement through the Planning Commission and City Council. The applicant intends to install a 3' berm retained by a block wall that slopes to the sidewalk. They will place shrubs behind the block wall and trees every 20 feet for the entire 15' landscape buffer.

The west side of the property borders a residential use. The ordinance requires that trees be placed within the 10 foot landscape buffer every 30 feet. However, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site. The applicant proposes to place flowering pear trees, which have ample canopy, spaced every 19.5 feet.

There is a 6 foot masonry wall along the west property line of the Maverik. The applicant is proposing to tie their 6 foot masonry wall into Maverik's by stepping it up the slope.

Parking

As per ordinance, based on the square footage of the entire building, 60 stalls would be required. However, the number of parking spaces required may be reduced as a condition of the development review by the Planning Commission for conditional use applications if it can be demonstrated through a parking study that the proposed use would have a parking demand less than required.

The applicant proposes to provide 34 parking stalls and a reduction based on the following reasons:

- 70% of sales derive from drive-up orders therefore less sit-down dining is needed.
- Based on the 2,246 square feet area of the public dining area at the ratio of one stall per 100 sq. ft and 5 stalls for employees, only 28 stalls would be required.
- Under a calculation based on 99 seats at one stall per 4 seats plus 5 stalls for employees, 30 stalls would be required.
- A letter submitted outlining corporate projections for peak hourly parking, requires that a total of 27 stalls be required.

Signage

The applicant is proposing two monument signs which they are allowed by ordinance due to having double frontage. The monument sign on the northeast corner will be angled at 45 degrees such that it illuminates toward the restaurant and street but not toward residential. This sign will not include an electronic messaging board. Monuments signs within residential zoning are required to be 5 feet or less in height. It is a reasonable condition for the Planning Commission to require that this sign be 5 feet in height. The 2' berm along the north landscaped area will increase to 3' from the edge of the retaining wall and wrap around behind the sign to continue with the 3' berm that runs along 5600 W. This will provide additional screening. The second monument sign shall meet the requirements of the sign ordinance.

The sign ordinance, in regard to on site directional signs, states "...which sign is necessary to provide information to the public, such as direction to parking lots; location of restrooms; and which bear, as an incidental part of the sign, the name, address or trademark of persons furnishing such sign to the owner of the premises. No permit is required."

Sound

There have been concerns regarding the sound levels emanating from the menu order boards in relation to the townhomes. A letter from the manufacturer of the order boards outlines that 70 decibels emanate from the point of the source. According to the manufacturer, the sound will dissipate as it radiates outward dropping to 44 decibels when it reaches the nearest townhome. This calculation does not take in

consideration the masonry wall or the trees along the west property line. The applicants measured the sound levels along 5600 W without cars passing and detected 50-60 decibels.

For other fast food restaurants in the past, the Planning Commission has imposed a condition limiting restaurant hours.

Staff Alternatives

Approval subject to any issues raised at the public hearing as well as the following conditions:

1. The required parking may be reduced to 34 stalls as shown in the approved site plan.
2. A 6 foot masonry wall shall be installed along the west property line between the adjacent residential uses with trees spaced every 20 feet within the required landscaped area. The 6 foot masonry wall shall tie into the masonry wall of Maverik.
3. If the Planning Commission and City Council approve an amendment to the development agreement to allow for a reduction in the side yard setback along Lake Ridge Drive, then it may be reduced from 20 feet to 15 feet and shall incorporate shrubs, a block wall, a 3 foot berm, and trees planted every 20 feet.
4. The site shall include a pedestrian connection as outlined in the development agreement. The connection shall be located at the front of the restaurant connecting to the Maverik site.
5. All signage and outdoor display shall meet the regulations contained in Title 11 of the West Valley City Code. The monument sign on the northeast corner shall have a maximum height of 5 feet and shall be angled to face the restaurant and 5600 W but not residential. Directional signs shall specifically meet the regulations of the sign ordinance.
6. The architectural elevations shall meet the Commercial Design Standards.
7. All requirements and concerns of all agencies and departments are to be met.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Darrin Perkes
5684 S Green Street
Murray, UT

Discussion: Kevin Despain presented the application. Harold Woodruff asked if the sound system on the ordering board can be adjusted. Kevin replied yes. Barbara Thomas asked how tall the directional signs are. Kevin replied 5 feet. Commissioner Thomas stated that these are as large as the monument sign on the corner. Commissioner Woodruff asked if the 'M' is allowed on top of the directional signs. Brandon Hill replied that the 'M' would not comply because it is not considered incidental to the directional sign. He added that the Planning Commission can address directional signs in this meeting.

Darrin Perkes, representing the applicant, stated that landscaping density has increased on the west side, the monument sign on the corner has been decreased in size and re-oriented, the berm has increased, and an agreement has been made with Maverik for a pedestrian access between sites. Commissioner Thomas stated that the City requires 60 parking stalls but the applicant is only providing 34. Mr. Perkes stated that McDonalds is not a typical restaurant because 70% of sales are

conducted through the drive-through and there is a large kitchen space. He indicated that the reduction is calculated based on the dining square footage as well as the children's play area. Terri Mills stated that the addition of more flowering pears will be beneficial during the summer but suggested mixing in evergreens to help during the winter months. Mr. Perkes stated that evergreens don't do well here but indicated that he is okay adding a few into the landscaping design. Commissioner Woodruff stated that he has heard a lot of issues over the years from neighbors who live next to restaurants with drive-through's. He indicated that it would be beneficial for a sound engineer to evaluate the impact this could potentially have on residents. Mr. Perkes stated that sound tests were conducted at two different times (one during the afternoon and another at night) and the ambient noise in this area is never less than 50 decibels. Sound radiates at 70 decibels from the intercom and will be less than 50 decibels by the time it gets to residents. Commissioner Mills stated that signs can detract from any building and indicated that having 2 monument signs on the same street is redundant and unnecessary. She indicated that McDonalds is well known and people will not have a problem knowing it is there. Mr. Perkes stated that the actual size of the monument sign on the corner is 4 x 4 without the base. He indicated that this is a big reduction and added that McDonalds has stated that signage is very important to their business. Barbara Thomas asked if the monument sign on the corner will be placed on the berm. Mr. Perks replied no and stated that the berm will be behind the sign. Commissioner Thomas indicated that the large directional signs are not welcoming and should be smaller. Mr. Perkes stated that he could see if there is a smaller version of the sign and indicated that this is something that can be worked out. Brandon Hill indicated that the 'M' will have to be removed from the top of the directional sign because it does not comply with the ordinance.

Commissioner Mills stated that 34 parking stalls isn't enough and added that 60 is probably too many. Joe Garcia suggested reducing the dining area inside so more stalls won't be needed. Commissioner Woodruff agreed that there doesn't seem to be enough parking stalls but added that it would likely hurt business for McDonald's if people come and are unable to find a place to park.

Motion: Commissioner Thomas moved for approval subject to the staff conditions with the following modifications:

1. The required parking may be reduced to **45** stalls as shown in the approved site plan.
2. A 6 foot masonry wall shall be installed along the west property line between the adjacent residential uses with trees spaced every 20 feet within the required landscaped area. The 6 foot masonry wall shall tie into the masonry wall of Maverik. ***Trees shall include flowering pears mixed with evergreens.***
5. All signage and outdoor display shall meet the regulations contained in Title 11 of the West Valley City Code. The monument sign on the northeast corner shall have a maximum height of 5 feet and shall be angled to face the restaurant and 5600 W but not residential. Directional signs shall specifically meet the regulations of the sign ordinance ***and the 'M' on the top portion of the signs shall be removed.***
8. ***Sound and noise concerns shall be reviewed upon valid complaint.***

Commissioner Garcia seconded the motion.

Roll call vote:

Commission Fuller	No
Commissioner Garcia	Yes
Commissioner Mills	No
Commissioner Thomas	Yes
Commissioner Woodruff	No
Chairman Conder	No

Split -C-26-2013- Motion Fails

Discussion: Brent Fuller stated that adding an additional 11 parking stalls will make this project impossible to do. Harold Woodruff asked if parking will be allowed on the street. Kevin replied that this hasn't been looked at. Commissioner Woodruff stated that he would be okay reducing the parking requirement to 34 if the applicant is able to provide a parking study that indicates this will be sufficient.

Motion: Commissioner Woodruff moved for approval subject to suggesting the applicant return with a parking study to request additional parking reduction and subject to the staff conditions with the following modifications:

3. The required parking may be reduced to **45** stalls as shown in the approved site plan.
4. A 6 foot masonry wall shall be installed along the west property line between the adjacent residential uses with trees spaced every 20 feet within the required landscaped area. The 6 foot masonry wall shall tie into the masonry wall of Maverik. ***Trees shall include flowering pears mixed with evergreens.***
6. All signage and outdoor display shall meet the regulations contained in Title 11 of the West Valley City Code. The monument sign on the northeast corner shall have a maximum height of 5 feet and shall be angled to face the restaurant and 5600 W but not residential. Directional signs shall specifically meet the regulations of the sign ordinance ***and the 'M' on the top portion of the signs shall be removed.***
8. ***Sound and noise concerns shall be reviewed upon valid complaint.***

Commissioner Thomas seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -C-26-2013- Approved

Commissioner Thomas was excused.

C-28-2013

Brandi Barnett

3417 S Ovation Dr.

Write Start Preschool

R-1-8 Zone (.28 acres)

The applicant, Brandi Barnett, is requesting a major home occupation as a conditional use for a home preschool named Write Start Preschool. The zoning for this area is R-1-8 and major home occupations are a conditional use in this zone. The West Valley City General Plan anticipates low density residential for this area.

The hours for the preschool will be Monday – Friday from 9:30 a.m. – 2:30 p.m. There will be two sessions and no more than 6 children per session. One session will be held Monday – Friday from 9:30 – a.m. – 11:30 a.m. and the other session will be the same days from 12:30 a.m. – 2:30 p.m. The classes will be conducted indoors.

The area to be used for the preschool is located in the lower level of the home (1,020 sq ft). The area dedicated to the preschool is 134 square feet, which is 13% of that floor and complies with the 25% of the area of any one floor. The room includes a large window which will serve as egress in the case of emergencies.

The driveway area provides plenty of space for a drop-off. The home does have a considerable amount of frontage, 132’.

They will have one 2 square feet business sign in the window which is allowed by ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. Drop off and parking areas are to be on the driveway and may not be on the street.
2. No more than six (6) students per session.
3. Shall comply with all requirements of affected departments and agencies, including the West Valley City Fire Department and the Salt Lake Valley Health Department.
4. Subject to review upon valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Brandi Barnett
3417 S Ovation Dr.

Discussion: Kevin Despain presented the application. Brandi Barnett stated that she will teach children basic information such as numbers and the alphabet. The Planning Commission had no further questions or concerns.

Motion: Commissioner Fuller moved for approval subject to the 4 staff conditions.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -C-28-2013- Approved

C-29-2013

**Granger Hunter Improvement District Facility – Garage addition
2888 South 3600 West
C-2 Zone 16.39 Acres**

The applicant is requesting a conditional use amendment to expand the garage and shop facilities at the Granger Hunter Improvement District (GHID) district office facility at 2888 South 3600 West. The facility occupies two parcels zoned C-2 with General Commercial General Plan designation. Surrounding land uses include warehouse/light manufacturing to the north, residential and light industrial/light manufacturing to the east, a charter school to the south, and the Bangerter Highway to the west.

GHID plans to develop 1.52 acres by constructing a new 6,630 square foot, three bay garage and a fueling station. The garage space will house trucks which are currently parked outside, and the fueling station would consist of the pump, a canopy, and an underground tank. The proposed layout is designed to accommodate a seven bay addition to the south end of the garage in the near future.

Site design: The proposed building location is consistent with the original site concept plan. The complex has public accessible offices and a free RV dump but is mostly GHID access only. The public and private portions of the property are separated by a block wall. The proposed building and addition are deep within the campus, mostly hidden from public view and oriented with its back to Bangerter Highway. The proposed building would straddle the two parcels; GHID is in the process of combining them.

No additional employee parking requirement is generated by this garage addition, and no additional parking spaces are planned, as the site already has parking far in excess of the amount required. Approximately 2.5 acres of the overall GHID site will remain undeveloped after this addition.

Architectural design: The original conditional use approval (C-5-1995) for the office/shop facility was granted on February 9, 1995. At that time, a site plan was approved that showed the three buildings that were built as well as two proposed future warehouse buildings. This conditional use amendment represents one of the two buildings shown as proposed on that plan. Since the C-5-1995 approval, the Bangerter Highway Business Park Overlay Zone (BHBPO) and Commercial Design Standards have been adopted.

The proposed building is designed according to standards of that time and in a style consistent with the other buildings in the complex in terms of massing, materials, and details. The original conditional use approval specified “block with brick on all sides” building design for “proposed buildings” in the campus setting; the Commercial Design Standards therefore would not apply to the new building. Staff feels that the proposed building matching the design of the rest of the complex satisfies the intent of the BHBPO Zone. Lighting is also consistent with existing buildings. The south side of the building uses plain block because that section of the wall will eventually be removed for a seven bay addition.

Landscaping: A landscaping plan was also approved as part of the original conditional use. The original site plan showed a 20 to 30 foot wide landscaped buffer around the entire property, and one of the conditions was a 6 foot chain link fence “with a permanent, visual pyracantha screen along the south, west, and north property lines”. While the fence was built to secure the non-public areas of the campus, the pyracantha was only planted along the north fence at the non-public portion of the property. Additionally, landscaping facing the Bangerter Highway was not installed as that portion of the property was never developed. All the public portions of the campus have been handsomely landscaped.

Since the original conditional use approval, the BHBPO landscaping standards and the High Image Arterial Landscaping Standards would require a minimum of a 20’ landscaped buffer with grasses and a mixture of deciduous, ornamental, and evergreen trees. Strict adherence to the new landscaping standards is complicated by the Jordan Aqueduct, which runs along the western property line. There is a 50 foot easement (approximately 25 feet into the GHID property) in which the types of activities, buildings, and plants are restricted. Specifically, deep rooting trees and bushes are prohibited. An easement encroachment agreement will be required between GHID and the Jordan Valley Water Conservancy District for any landscaping within the easement.

The landscaping plan submitted shows a 20' landscaped buffer with a mix of conifer, deciduous, and ornamental trees but the buffer is shown immediately adjacent to the parking lot instead of next to the Bangerter Highway. Staff feels that this satisfies the spirit of the new standards. This will leave an area approximately 45' wide visible from the Bangerter Highway that will need to be landscaped in some way. At the time of this report, the applicant's final landscape plans were not known, but staff has suggested a rock mulch and live plant material mix that could be extended farther north as the property further develops. Staff has also asked the applicant to landscape the narrow strip adjacent to Bangerter by another building (Building D) on the complex.

Staff Alternatives:

A. **Approval**, subject to the resolution of any issues raised at the public hearing and the following conditions:

1. A landscaping plan must be submitted detailing landscaping treatment of the entire space between the Bangerter Highway and the proposed development. This landscaping treatment shall include 50% live plant material.
2. GHID will landscape the unfinished portion adjacent to Bangerter Highway by Building D in accordance with easement encroachment agreement restrictions.
3. GHID shall provide West Valley City with a copy of the easement encroachment agreement for the new development.
4. The parcels will be combined and recorded before the building permit is issued.

B. **Continuance**, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Greg Brooks
9 Exchange Place
SLC, UT

Discussion: Lee Logston presented the application. Phil Conder stated that there is a long history with West Valley City and Granger Hunter and he would encourage and hope that the applicant provides a good product with good landscaping. Terri Mills asked if weeds and thistles will be taken care of. Lee replied that anything that is not part of developed property will simply become an enforcement issue.

Motion: Commissioner Woodruff moved for approval subject to the 4 staff conditions.

Commissioner Garcia seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -C-29-2013- Approved

C-30-2013

**Wasatch Spirits, L.L.C. (Jensen Dobbs)
2374 S. Redwood Rd. M Zone (Acres)**

The applicant, Jensen Dobbs, representing Wasatch Spirits, L.L.C, is requesting conditional use approval for a distillery at 2374 S. Redwood Road. This property is zoned M, Manufacturing, and manufacturing of alcoholic products is a conditional use in this zone. The West Valley City General Plan designates this area as Light Manufacturing. The adjacent property is all zoned Manufacturing and the surrounding uses office/warehouse type uses.

The applicant, Wasatch Spirits, L.L.C, is proposing to manufacture, store, bottle, label and wholesale distribute a sugar based beverage alcohol at this location. There will be no retail sales, tastings or consumption on site available for the public. The product will be sold to a third party distributor for sale in Utah and will potentially be shipped out of the State in the future. Wasatch Spirits, L.L.C will be applying for a manufacturer's license from the Utah Department of Alcoholic Beverage Control (DABC) for the distillery and then also is required to get permits through the Federal Alcohol, Tobacco Tax and Trade Bureau (TTB).

There are three buildings on the site and the use will occupy a 1,440 square foot unit towards the south end of the middle building, which is a total of 52,652 square feet. There is a service door as well as a garage door at the back of the building that will serve as the receiving and shipping area. A diagram of the floor layout has been included for your review, as well as a description of the process involved in the manufacturing of the product at this location. The construction of the distillery will be coordinated with the West Valley City Building and Fire Departments as well as Granger Hunter Improvement District.

Currently there will be four (4) employees as part of the business. The proposed hours of operation will be Monday – Sunday from 7 a.m. – 10 p.m. There are four (4) parking spaces provided which are adequate for this use. The site is well maintained with mature landscaping along the southern boundary.

All signage for the business shall comply with the West Valley City Sign Ordinance, to include no more than 15% signage on the front building face and no more than 50% of the window area covered in signs. A building permit must be issued for all wall signage.

The applicant has indicated that they would like to install extra security measures to the site. Therefore they are requesting to add bars to the front windows of the building. This location is not visible from Redwood Road but staff has recommended that they screen the bars so they are not as visible to the public. The bars will be attached to the wall surrounding the window therefore there should be adequate room to place a shade or blind between the window and the bars to help screen them from view.

Staff Alternatives:

Approval, of manufacturing, storing, bottling, labeling and wholesale distribution of a sugar based beverage alcohol subject to the resolution of any issues raised at the public hearing and the following conditions.

1. There shall be no retail sales, tastings or consumption available on site for the public at any time.
2. Must obtain a West Valley City Business license.
3. Must meet requirements of all affected departments and agencies including but not limited to the West Valley City Building and Fire Departments, Granger Hunter Improvement District, the Federal Alcohol, Tobacco Tax and Trade Bureau and the Utah Department of Alcoholic Beverage Control.
4. If bars are to be placed on the windows then a shade or blind must be installed between the window and the bars to help screen the bars from the public view.

5. Subject to review upon valid complaint.

Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Jensen Dobbs
2164 S Blair Street
SLC, UT 84115

Discussion: Jody Knapp presented the application. Terri Mills asked if the Fire Department has any concern with bars on windows and being able to access the building in the event of an emergency. Jody replied that the Fire Department reviewed this application in a tech meeting and didn't have a problem. Joe Garcia asked if there is any smell associated with the process. Jensen Dobbs, the applicant, stated that everything is contained within a large plastic container so there is very little to no smell. Harold Woodruff asked what the final product is described as. Mr. Dobbs replied that it will be un-aged whiskey, brandy, or vodka. Terri Mills asked if there will be additional security measures for the door. Mr. Dobbs replied that a gate will be installed inside that shuts and latches to prevent break-in.

Motion: Commissioner Woodruff moved for approval subject to the 5 staff conditions.

Commissioner Fuller seconded the motion.

Roll call vote:

Commission Fuller	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous -C-30-2013- Approved

PLANNING COMMISSION BUSINESS

Approval of Minutes from June 12, 2013 (Regular Meeting) **Continued**

Approval of Minutes from June 19, 2013 (Study Session) **Approved**

There being no further business, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant